

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 LYLE ZEIGLER,

11 Plaintiff,

12 v.

13 HOLLAND AMERICA LINE INC.,
14 et al.,

15 Defendants.

CASE NO. C19-1680 JLR

ORDER GRANTING
STIPULATED MOTION TO
CONTINUE THE TRIAL DATE

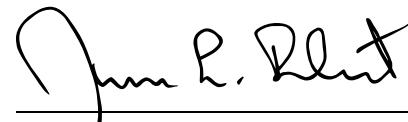
16 Before the court is the parties' stipulated motion to continue the trial date and
17 related case deadlines. (Stip. Mot. (Dkt. # 14).) In this case, Plaintiff Lyle Zeigler
18 alleges that he was injured aboard one of Defendants' vessels. (*See id.* at 1.) The parties
19 represent that they have diligently conducted discovery in this matter, including
20 exchanging written discovery, taking Mr. Zeigler's deposition, and conducting his
21 Federal Rule of Civil Procedure 35 physical examination. (*Id.* at 1-2.) Despite these
22 efforts, the parties represent that they are unable to complete discovery prior to the

1 current March 15, 2021, trial date. The parties state that they cannot inspect the vessel
2 and deployed gangway due to the dangers associated with travel during the COVID-19
3 pandemic. (*Id.* at 2.) In addition, several vessel employees who are important witnesses
4 have either returned to their home countries or are at sea for the foreseeable future. (*Id.*)
5 As a result, the parties are unable to complete discovery and exchange expert reports
6 related to liability in a timely manner for the March 15, 2021, trial date.

7 Based on the foregoing representations, the court finds that the parties have
8 established good cause for a modification to the trial date and case schedule. *See Fed. R.*
9 *Civ. P. 16(b)(4)* (“A schedule may only be modified for good cause and with the judge’s
10 consent.”). The parties ask the court to move their trial date to June 14, 2021, “or as
11 otherwise determined by the [c]ourt.” (Stip. Mot. at 2.) The court cannot accommodate
12 the parties’ requested June 14, 2021, trial date. Nevertheless, the court will reschedule
13 the parties’ trial to the earliest date available on the court’s calendar, which is likely to be
14 in approximately January or February of 2022. The court will separately issue a revised
15 scheduling order, which will provide the new trial date and related case deadlines for
16 those deadlines that have not yet expired.

17 Dated this 8th day of September, 2020.

18
19
20
21
22



JAMES L. ROBART
United States District Judge